

Carolyn Harris MP
Chair, APPG Home Electrical Safety

23 February 2018

Dear Ms Harris

**All Party Parliamentary Group on Home Electrical Safety
Call for Evidence**

AMDEA is the UK trade association for large and small domestic appliances: heating; water heating; floor care and ventilation. We represent manufacturers at UK, European and International level; with government and EU political institutions; in standards and approvals; with non-governmental organisations; with consumers and in the media.

The UK has one of the best product safety regimes in the world, through its use of established EU safety legislation, together with European standards which are increasingly derived from international standards that enable safe product design on a global scale.

AMDEA was a member of the original Government Working Group set up to consider the recommendations in the report by Lynn Faulds Wood. We were also invited to join the expanded Working Group on Product Recalls and Safety which comprised representatives from the spectrum of UK organisations with an interest in public safety.

Since the issue of this Call for Evidence the Government has announced that it has accepted all the recommendations¹ in that report and has set up the Office for Product Safety and Standards. AMDEA sees this body as having the potential to provide a uniform approach across the UK in support of local authorities. Realising this potential will naturally require sufficient human and financial resources and we look forward to hearing how these will be provided in the very near future. We would hope that the APPG can support the implementation of those recommendations, which were the outcome of dedicated efforts by the members of the Working Group to identify practical ways to improve product safety.

The key challenges facing the new Office are:

- The lack of funding for Trading Standards means that a diminishing number of Officers are struggling to deal with the import and sale of non-compliant and counterfeit goods, particularly on-line. They also lack resources for adequate enforcement (including prosecution) and training in safety legislation and standards.

¹ A summary of the recommendations is attached as an Annexe.

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- The lack of consumer awareness of product safety and their own responsibilities.
- Co-ordination of market surveillance activity at local, national and international levels.
- Product traceability, particularly for existing products.

Reputable manufacturers only place on the market products that they know to be safe and will take any action necessary to deal with any safety issues that may arise at a later date. Others are not so scrupulous. Adequate funding for market surveillance, both in detecting unsafe goods and subsequently prosecuting offenders, is an absolute necessity.

Questions

1. **Product Recall.** Given the recent assessments of the problems affecting consumer product recall, such as the Lynn Faulds-Wood review and Working Group report, do you agree that insufficient progress has been made, and what steps would provide effective and achievable remedies?

No. There has been considerable progress.

Although the Government's formal endorsement of the Working Group's recommendations has only just been published, work on those recommendations had already begun. Indeed, the new PAS 7100, prepared by BSI, is already complete and is expected to be published in early March.

AMDEA has been very active in the writing of PAS 7100 as we recognise that, although most economic operators will seek to ensure compliance with all applicable standards and regulations, this does not absolve them of the responsibility to monitor feedback from customers and react accordingly should issues materialise. PAS 7100 covers this latter point as part of the product recall procedure.

Also, BEIS has been working on the proposed central recall listing and consumer research. AMDEA supports these initiatives in principle, though we remain to be convinced that many consumers would visit a central listing unless sufficient promotion of the website is undertaken to bring it to consumers' attention. Nonetheless, the availability of such a site, provided that it is kept, updated and maintained by BEIS, is an important tool to aid market surveillance, and will give reassurance to those concerned that a product may have been the subject of a recall. AMDEA is happy to share the findings of our own research into consumer attitudes and their response to recalls.

Purely in terms of improving the recall system, at least for electrical goods, we would reiterate that the main obstacle to a successful recall is locating affected appliances. That is why we launched Register My Appliance in 2015 to encourage consumers to tell manufacturers exactly which of their products they have in their homes. As amply demonstrated by the car industry, being able to contact a consumer directly about the actual product that they have is more effective than sending a more general communication to somebody who may have that particular model using contact information obtained by the retailer. We would encourage the Office of Product Safety and Standards to engage with retailers and consumer groups to promote the benefits of registration with the manufacturer.

Existing work by other organisations on improving product safety and ways to help improve recall responses has continued and is continuing. We would like to highlight to the Office of Product Safety and Standards the importance of product safety, including corrective actions, for all consumer products, not merely certain product sectors. Even for our sector there has been undue emphasis on the fire risk of large white goods yet little consideration of the safety risks posed by, for instance, counterfeit phone chargers.

2. **General Electrical Product Safety.** Besides product recall, what do you consider to be the most significant risks to consumers posed by domestic electrical products, and how could these most effectively be mitigated?

The most significant safety issues (including product recall) facing consumers in relation to electrical and electronic goods are:

- The growing availability of non-compliant products, particularly via on-line platforms
- The growing availability of second-hand products ditto
- The growing availability of counterfeit products ditto
- A lack of awareness of the need to install, use and maintain electrical products safely and in accordance with the manufacturer's instructions
- A lack of awareness of the dangers of counterfeit, unsafe and non-compliant electrical goods
- A lack of awareness of the option to register second hand products for safety alerts

Unsafe, non-compliant and counterfeit goods being imported into the UK also include accessories such as chargers, batteries and components. They do not conform to current European legislation and are dangerous. They are now entering in even larger numbers because of the growth in internet selling.

AMDEA is also concerned about the implications of the developing Circular Economy Package. Advocates for unauthorised repairs, including by consumers themselves, are unwittingly promoting lower standards of safety. As are calls for appliances to be easy to dismantle to facilitate re-use/recycling.

In the UK we are already seeing local initiatives and on-line guides that encourage amateur and even DIY diagnosis and repair, using generic rather than authorised parts because these are cheaper. Appliances are becoming increasingly complex and repairs need to be undertaken by experienced skilled engineers using authorised parts. Consumers should be warned of the dangers of dismantling electrical and electronic equipment.

3. **Brexit and Product Safety impacts:** After Britain leaves the EU, what challenges and opportunities do you envisage for providing a product safety system that will protect

consumers. What needs to be protected in terms of electrical safety and what must the UK Government need to improve in terms of legislation after the UK leaves the EU?

The UK will need to ensure that its safety regime matches that of the EU. It is imperative that the UK does not become a dumping ground for products deemed unsafe by the rest of Europe and indeed the world. The UK must retain its involvement in the means by which market surveillance authorities exchange information about unsafe products, not least because of the economies of scale inherent in knowing that another country's MSA has identified an issue so the UK does not need to duplicate e.g. testing.

AMDEA notes that the EU have started to consider a new EU Regulation "laying down rules and procedures for compliance with and enforcement of Union harmonisation legislation on products" which is likely to have far-ranging implications on how market surveillance will be conducted in the EU. We consider it imperative that any UK system takes cognisance of this new system, whatever the final relationship between the UK and EU post-Brexit.

It is imperative that the UK decide how manufacturers will attest conformity in the future to UK requirements, post-Brexit - will the CE marking still be the physical means of indicating compliance? If the UK requirements differ from those in the EU, that can only complicate things and increase the risk of non-compliance and the dumping of unsafe goods onto the UK market. None of AMDEA's members trade in the UK alone and while some trade primarily outside the EU, the majority will still need to continue to comply with EU legislation after Brexit. The UK Government should also be aware that if some marking other than the CE marking is finally required for the UK, manufacturers will need time to prepare the requisite compliance statements and to modify their products to indicate compliance with this new UK provision.

4. **Fridge / Freezer safety marking:** How effective would a consumer-orientated marking or logo for identifying fridge freezers fitted with a flame retardant back, safety tested to an agreed standard, be in the current UK market? What would need to be considered for any such scheme?

AMDEA will be happy to work with the expert panel and the Office of Product Safety and Standards to develop new ideas for enhancing consumer safety based on solid engineering principles and reliable data analysis.

However, it is already a requirement that all fridge freezers have flame-retardant backs. The materials used are tested to an internationally accepted standard in accordance with applicable EU Regulations. Existing products were deemed safe at the time they were placed on the market. Many of them would meet or exceed the current requirements but without testing them to the new standard there is no way of knowing this.

Assuming that this proposed marking or logo is intended to identify any existing products that do not yet meet the revised IEC standard, we do not see that it would be possible to design a scheme and implement it before all new products would be tested to the new standard anyway. Devising criteria, validation of product and administration for the scheme will have time and cost factors. It also implies the creation of UK-specific models and divergence from the CE marking principles for a scheme of extremely short duration.

Standards are developed and amended by BSI, CENELEC and IEC Standards Committees whose members are experts derived from all sectors, including market surveillance and consumer groups. Product safety standards are continually reviewed and revised. The fact that there have been subsequent amendments, including the latest amendment to IEC 60335-2-24 (Safety of refrigerating appliances) to require additional testing, means that each successive generation of appliances is safer than the last.

Please note that refrigerating appliances very rarely catch fire, but they are a significant additional fire load in cases of serious kitchen fires, whatever their cause, which is why there is continuing work on finding ways to prevent fire spreading.

Conclusion:

AMDEA broadly supports the recommendations in the report by the Government Working Group on Product Recalls and Safety and the formation of the Office for Product Safety and Standards, always provided that it is adequately resourced. We would emphasise that, to be successful, any market surveillance body (local or national) needs to have technical competence, be proactive in its actions, and have committed long-term funding from the public purse.

We are however concerned that in some minds there may be an assumption that all appliance-related fires are caused by recalled appliances. This is not the case - a fire involving a single appliance does not necessarily imply that other appliances sharing that model number are also a fire risk and that the default solution is a product recall. Unfortunately, there are (rare) occasions when a fire is attributed to a recalled product that has not been found or where the householder has not yet responded to the safety alert. We hope that by encouraging consumers to register their products the number of such incidents will diminish even further.

Our industry continually strives to make each successive generation of appliances even safer and to ensure that appliances in UK homes perform safely for the duration of their very long lifespan. In our most recent YouGov survey the main reason given for not registering a fridge-freezer was that people did not think it necessary; similar findings have been found by consumer groups too.

In terms of overall product safety, we would urge consumers to be careful to buy appliances from reputable retailers; to read and implement the instructions supplied, particularly in terms of safe installation and any ongoing maintenance; to register their appliances with the manufacturer so that they can be contacted if necessary; and, if they have concerns about their appliance to call the manufacturer's helpline for assistance.

Yours sincerely

A handwritten signature in black ink that reads "Douglas Herbison". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Douglas Herbison
Chief Executive

ANNEXE:

Summary of the Recommendations from the Government Working Group on Product Recalls and Safety

1. A centralised resource
2. UK guidance on corrective actions
3. A “central hub” for product safety
4. Improved data sharing
5. Development of technological solutions on product marking and identification
6. Encouragement of Primary Authority relationships
7. Encouragement of registration of appliances
8. Creation of an expert panel

The full report:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/630364/wgprs-report.pdf

The Government’s response:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674957/product-recalls-safety-working-group-report-government-response.pdf